Case 09-36376 Doc 1 Filed 09/30/09 Entered 09/30/09 13:46:04 Desc Main B1 (Official Form 1) (1/08) Document Page 1 of 42

#### United States Bankruptcy Court Northern District of Illinois Eastern Division

Voluntary Petition

Name of Debtor (if individual, enter La <b>Escudero</b>	•		Name	Name of Joint Debtor (Spouse) (Last, First, Middle)						
All Other Names used by the Debtor ir and trade names): FKA Rhea Ellen Kitsos	rs (include ma	ırried, maider	n All Ot maide	All Other Names used by the Joint Debtor in the last 8 years (include married, maiden and trade names):						
Last four digits of Soc. Sec. or Individual (if more than one, state all) * ****_**	omplete EIN		ur digits of Soc. e than one, stat		idual-Taxpaye	r I.D. (ITIN) No./Complete EIN				
Street Address of Debtor (No. & Street <b>3530 Sunnyside Ave.</b>		Street	Address of Join	nt Debtor (No.	& Street, City	, and State):				
Brookfield IL	•	60513								
County of Residence or of the Principa	Place of Busi	ness:		Count	y of Residence	or of the Prince	cipal Place of	Business:		
C	OOK									
Mailing Address of Debtor (if different	om street add	ress)		Mailing	g Address of Jo	int Debtor (if o	different from s	street address):		
Location of Principal Assets of Busines	s Debtor (if dif	ferent from st	reet address	above):						
Type of Debtor (Form of Organization (Check one box)	)	Nature of Bu		Chap	oter of Bankru	otcy Code Ur	nder Which th	e Petition is Filed (Check one box)		
■ Individual (includes Joint Debto See Exhibit D on page 2 of this form		th Care Busin le Asset Real			hapter 7 hapter 9	☐ Chapter 15 Petition for Recognition				
☐ Corporation (includes LLC & L	.P) defir	ned in 11 U.S.	C §101 (51B	, l – .	☐ Chapter 11					
☐ Partnership		kbroker			☐ Chapter 12 ☐ Chapter 15 Petition for Recognition ☐ Chapter 13 ─ Of a Foreign Nonmain Proceeding					
☐ Other (If debtor is not one of the	Com	modity Broke	r		Nature of Debts (Check one Box)					
above entities, check this box and state type of entity below.		ring Bank								
and state type of entity below.	Othe	Tax-Exempt	Entity		■ Debts are primarily consumer Debts are primarily business debts, defined in 11 U.S.C. debts.					
		(Check box, if ap	oplicable.)	§	101(8) as "incu	rred by an				
		tor is a tax-exe nization unde	•		dividual primari ersonal, family,	•				
		ed States Cod enue Code).	le (the Interna	al pu	ırpose."					
Filing Fo	(Check one box					Cha	apter 11 Debt	ors		
■ Filing Fee attached	(Check one bo.	x)			Check one box  ☐ Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D)					
- I ming i do attadrica					Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D)					
☐ Filing Fee to be paid in installments signed application for the court's co				Check	Check if:					
unable to pay fee except in installm		, ,		_	Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affliates) are less than \$2,190,000.					
☐ Filing Fee wavier requested (applic	able to chapte	r 7 individuals	only) Must	Chec	k all applicable	e boxes:		···		
attach signed application for the co					A plan is being filed with this petition.  Acceptances of the plan were solicited prepetition from one of more classes					
					f creditors, in a					
Statistical/Administrative Information								This space is for court use only		
Debtor estimates that funds will be Debtor estimates that, after any ex funds available for distribution to u			es paid, there w	rill be no						
Estimated Number of Creditors				_						
1- 50- 100-	200-	<b>1</b> ,000-	<b>5</b> ,001-	10,001	<b>2</b> 5,001	<b>5</b> 0,001	Over			
49 99 199  Estimated Assets	999	5,000	10,000	25,000	50,000	100,000	100,000			
\$0 to \$50,001to \$100,001	\$500,001	\$1,000,001	\$10,000,001	\$50,000,001	\$100,000,001	\$500,000,001	☐ More than			
\$50,000 \$100,000 \$500,000	to \$1 million	to \$10 million	to \$50 million	to \$100 million	to \$500 million	to \$1billion	\$1 billion			
Estimated Liabilities										
\$0 to \$50,001 to \$100,001 \$50,000 \$100,000 \$500,000		\$1,000,001 to \$10	\$10,000,001 to \$50		\$100,000,001 to \$500	\$500,000,001 to \$1billion	More than \$1 billion			
ψου,οοο ψιοο,οοο φοοο,οοο	million	million	million	million	million	C \$ 10milon	,			

Case 09-36376 Doc 1 Filed 09/30/09 Entered 09/30/09 13:46:04 Desc Main B1 (Official Form 1) (1/08) Document Page 2 of 42 **Voluntary Petition** Name of Debtor(s) Escudero, Rhea Ellen This page must be completed and filed in every case) All Prior Bankruptcy Case Filed Within Last 8 Years (if more than two, attach additional sheet) Location Where Filed: Case Number: Date Filed: None None Pending Bankruptcy Case Filed by any Spouse, Partner, or Affilate of this Debtor (if more than one, attach additional sheet) Name of Debtor: Date Filed: Case Number: None District: Relationship: Judge: **Exhibit B** Exhibit A (To be completed if debtor is an individual whose debts are primarily consumer debts.) (To be completed if debtor is required to file periodic reports (e.g., I, the attorney for the petitioner named in the foregoing petition, declare that I forms 10K and 10Q) with the Securities and Exchange Commission have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12 pursuant to Section 13 or 15 (d) of the Securities Exchange Act of or 13 of title 11, United States Code, and have explained the relief available under 1934 and is requesting relief under chapter 11.) each such chapter. I further certify that I have delivered to the debtor the notice required by 11 USC § 342(b). Exhibit A is attached and made a part of this petition. /s/ Ronald P Stroiny **Ronald P Stroiny** Dated: 09/30/2009 **Exhibit C** Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? Yes, and Exhibit C is attached and made a part of this petition. Nο **Exhibit D** (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) Exhibit D completed and signed by the debtor is attached and made a part of this petition. П Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition. Information Regarding the Debtor - Venue (Check the Applicable Box.) Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District. Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes.) П Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.) (Name of landlord that obtained judgment)

# □ Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and □ Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition. □ Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(1))

Case 09-36376 Doc 1 Filed 09/30/09 Entered 09/30/09 13:46:04 Desc Main B1 (Official Form 1) (1/08) Document Page 3 of 42

#### **Voluntary Petition**

This page must be completed and filed in every case)

#### Name of Joint Debtor(s)

Escudero, Rhea Ellen

#### **Signatures**

#### Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7,11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

#### /s/ Rhea Ellen Escudero

#### Rhea Ellen Escudero

Dated: 09/16/2009

#### Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition (Check only **one** box.)

□ I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. § 1515 are attached.

Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

(Signature of Foreign Representative)

(Printed Name of Foreign Representative)

#### << Sign & Date on Those Lines

#### Signature of Attorney

#### /s/ Ronald P Strojny

Signature of Attorney for Debtor(s)

#### Ronald P Strojny

Printed Name of Attorney for Debtor(s)

LAW OFFICES OF PETER FRANCIS GERACI 55 E. Monroe Street #3400 Chicago IL 60603 312.332.1800 (PH)

Date: 09/30/2009

\* In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedule incorrect.

#### Signature of Debtor (Corporation/Partnerhsip)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

#### Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for fi ling for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19B is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social Security number (If the bankrutpcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.) Address

#### Date

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose social security number is provided above.

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.



## Document Page 4 of 42 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Rhea Ellen Escudero Debtor

Bankruptcy Docket #:

### EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. check one of the five statements below and attach any documents as directed. 1. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunites for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency. 2. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed. 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Must be accompanied by a motion for determination by the court.] [Summarize exigent circumstances If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing. 4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be accompanied by a motion for determination by the court.] Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.); Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.); Active military duty in a military combat zone. 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.

I certify under penalty of perjury that the information provided above is true and correct.

Dated: 09/16/2009

/s/ Rhea Ellen Escudero
Rhea Ellen Escudero



Sign & Date Here

## Document Page 5 of 42 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Rhea Ellen Escudero Debtor

Bankruptcy Docket #:

### EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. check one of the five statements below and attach any documents as directed.

1. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunties for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.
2. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.
3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Must be accompanied by a motion for determination by the court.] [Summarize exigent circumstances here.]
If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.
4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be accompanied by a motion for determination by the court.]
Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.);
Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);
Active military duty in a military combat zone.
5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.
certify under penalty of perjury that the information provided above is true and correct.

PFG Record # 449054

09/16/2009

Dated:

Sign & Date

Here

## Document Page 6 of 42 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

Rhea Ellen Escudero , Debtor

In re

#### **SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, C, D, E, F, I and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors also must complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

		Attached Amounts scheduled			
Name of Schedule	Attached YES   NO	Pages	Assets	Liabilities	Other
SCHEDULE A - Real Property	Yes	1	\$209,000	\$-	\$-
SCHEDULE B - Personal Property	Yes	3	\$29,305	\$-	\$-
SCHEDULE C - Property Claimed as Exempt	Yes	1+	\$-	\$-	\$-
SCHEDULE D - Creditors Holding Secured Claims	Yes	1+	\$-	\$225,257	\$-
SCHEDULE E - Creditors Holding Unsecured Priority Claims	Yes	2	\$-	\$-	\$-
SCHEDULE F - Creditors Holding Unsecured Nonpriority Claims	Yes	1+	\$-	\$106,948	\$-
SCHEDULE G - Executory Contracts and Unexpired Leases	Yes	1	\$-	\$-	\$-
SCHEDULE H - CoDebtors	Yes	1	\$-	\$-	\$-
SCHEDULE I - Current Income of Individual Debtor(s)	Yes	1	\$-	\$-	\$5,274
SCHEDULE J - Current Expenditures of Individual Debtor(s)	Yes	1	\$-	\$-	\$4,015
TOTALS	\$ 238,305 TOTAL ASSETS	\$ 332,205 TOTAL LIABILITIES			

Case 09-36376 Doc 1 Filed 09/30/09 Entered 09/30/09 13:46:04 Desc Main Document Page 7 of 42

### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

Rhea Ellen Escudero / Debtor

Bankruptcy Docket #:

#### STATISTICAL SUMMARY OF CERTAIN LIABILITIES - 28 U.S.C. § 159

If you are an individual debtor whose debts are primarily consumer debts as defined in 101(8) of the Bankruptcy Code (11 U.S.C. 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below

Check this box if you are an individual debtor whose debts are NOT primarily consumer debts and, therefore, are not required to report any information here.

This information is for statistical purposes only under 28 U.S.C § 159
Summarize the following types of liabilities, as reported in the Schedules, and total them

Type of Liability	Amount
Domestic Support Obligations (From Schedule E)	\$ 0
Taxes and Certain Other Debts Owed to governmental Units (From Schedule E)	\$ 0
Claims for Death or Personal Injury While Debtor was Intoxicated (From Schedule E) whether disputed or undisputed)	\$ 0
Student Loan Obligations (From Schedule F)	\$ 33,410.00
Domestic Support Separation Agreement and Divorce Decree Obligations Not Reported on (Schedule E).	\$ 0
Obligations to Pension or Profit Sharing and Other Similar Obligations (From Schedule F)	\$ 0
TOTAL	\$ 33,410
State the following:	
Average Income (from Schedule I, Line 16)	\$ 5,274.34
Average Expenses (from Schedule J, Line 18)	\$ 4,014.50
Current Monthly Income (from Form 22A Line 12; or,	\$ 7,172.75

#### State the following:

Form 22B Line 11; or, Form 22C Line 20)

Total from Schedule D, "UNSECURED PORTION, IF ANY" column		\$ 16,257.00
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column	\$ 0.00	
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" Column		\$0
4. Total from Schedule F		\$ 106,948.00
5. Total of non-priority unsecured debt (sum of 1,3 and 4)		\$ 123,205.00

Case 09-36376 Doc 1 Filed 09/30/09 Entered 09/30/09 13:46:04 Desc Main Document Page 8 of 42

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Rhea Ellen Escudero, Debtor

#### **SCHEDULE A - REAL PROPERTY**

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a co-tenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, or both own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim."

If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

Description and Location of Property	Nature of Debtor's Interest in Property	Husband Wife Joint Or Community	Current Value of Debtors Interest in Property Without Deducting and Secured Claim or Exemption	Amount of Secured Claim
3530 Sunny Side Ave. Brookfield, IL 60513 (Debtors primary residence)	Fee Simple		\$ 209,000	\$ 211,733

Total Market Value of Real Property
(Report also on Summary of Schedules)

\$209,000.00

PFG Record # 449054 B6A (Official Form 6A) (12/07) Page 1 of 1

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Rhea Ellen Escudero, Debtor

#### SCHEDULE B - PERSONAL PROPERTY

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, or both own the property by placing an "H," "W," "J," or "C" in the column labeled "HWJC." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

#### Do not list interest in executory and unexpired leases on this schedule. List them in Schedule G.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." In providing the information in this schedule, do not include the name or address of a minor child. Simpy state a "minor child."

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Type of Property	NONE	Description and Location of Property	H W J C	Debtor's Propert Deduc	t Value of Interest in y, Without ting Any d Claim or
01. Cash on Hand	X				
02. Checking, savings or other financial accounts, certificates of deposit or shares in banks, savings and loan, thrift, building and loan, and homestead associations or credit unions, brokerage houses, or cooperatives.		checking account with Chase -7117		\$	200
		checking account with Chase Dzyan E. is also on account		\$	50
		savings account with Chase -9240		\$	30
03. Security Deposits with public utilities, telephone companies, landlords and others.	X				
04. Household goods and furnishings, including audio, video, and computer equipment.		Household goods; TV, camera/video games, computer, sofa, vacuum, table, chairs, lamps, TV Stand, bedroom sets, washer/dryer, stove, refrigerator, microwave, pots/pans, dishes/flatware		\$	1,000
05. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.		Books, Compact Discs, Tapes/Records, Family Pictures		\$	200
06. Wearing Apparel		Necessary wearing apparel.		\$	100
07. Furs and jewelry.		Earrings, watch, costume jewelry		\$	100
08. Firearms and sports, photographic, and other hobby equipment.	X	Ber (Official Fo			

#### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

1EC	DULE B - PERSONAL PROPERTY		
N O N E	Description and Location of Property	H M J C	Current Value of Debtor's Interest in Property, Without Deducting Any Secured Claim or
	CPS/Prudential Term Life Insurance through work - No Cash Surrender Value.		\$ 0
X			
X			
	403(b) w/ Employer/Former Employer - 100% Exempt.		\$ 4,000
X			
X			
X			
X			
X			
X			
X			
X			
			<b>.</b> 4 000
X	Anticipated 2009 rederal income Tax Refund		\$ 1,800
X			
	X X X X X	Description and Location of Property  CPS/Prudential Term Life Insurance through work - No Cash Surrender Value.  X  403(b) w/ Employer/Former Employer - 100% Exempt.  X  X  X  X  X  X  X  X  Anticipated 2009 Federal Income Tax Refund  X	Description and Location of Property  CPS/Prudential Term Life Insurance through work - No Cash Surrender Value.  X  403(b) w/ Employer/Former Employer - 100% Exempt.  X  X  X  X  X  X  X  X  X  X  Anticipated 2009 Federal Income Tax Refund  X

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

SCHEDULE B - PERSONAL PROPERTY						
Type of Property	NONE	Description and Location of Property		Current Value of Debtor's Interest in Property, Without Deducting Any Secured Claim or		
24. Customer list or other compilations containing personally identifiable information (as defined in 11 USC 101 41A provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes	X					
25. Autos, Truck, Trailers and other vehicles and accessories.		Franklin Capital - 2007 Pontiac Solsitce with approximately 27,000 miles in excellent condition 2001 Volkswagen Jetta 120,000 miles 2002 Ford Mustang 90,000 miles (cl's son's car)		\$ 17,925 \$ 1,625 \$ 2,275		
26. Boats, motors and accessories.	X					
27. Aircraft and accessories.	X					
28. Office equipment, furnishings, and supplies.	X					
29. Machinery, fixtures, equipment, and supplie used in business.	X					
30. Inventory	X					
31. Animals		Family Pets/Animals. 1 dog 2 cats.		\$ 0		
32. Crops-Growing or Harvested. Give particulars.	X					
33. Farming equipment and implements.	X					
34. Farm supplies, chemicals, and feed.	X					
35. Other personal property of any kind not already listed. Itemize.	X					
		<b>Total</b> (Report also on Summary of Schedules)		\$29,305		

Case 09-36376 Doc 1 Filed 09/30/09 Entered 09/30/09 13:46:04 Desc Main Document Page 12 of 42 UNITED STATES BANKRUPTCY COURT

### NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

SCHEDULE C - PROPERTY CLAIMED EXEMPT								
Debtor claims the exemptions to which debtor is entitled under: (Check one box)  11 U.S.C. § 522(b)(2)  11 U.S.C. § 522(b)(3)		Check if debtor claims a homestead exemption that exceeds \$136,875						

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property without Deducting Exemption
00. Real Property			
3530 Sunny Side Ave. Brookfield, IL 60513 - (Debtors primary residence)	735 ILCS 5/12-901	\$ 15,000	\$ 209,000
02. Checking, savings or other financial accounts, certificates of deposit or shares in banks, savings and loan, thrift, building and loan, and homestead associations or credit unions, brokerage houses, or cooperatives.			
checking account with Chase -7117	735 ILCS 5/12-1001(b)	\$ 200	\$ 200
checking account with Chase Dzyan E. is also on account	735 ILCS 5/12-1001(b)	\$ 50	\$ 50
savings account with Chase -9240	735 ILCS 5/12-1001(b)	\$ 30	\$ 30
04. Household goods and furnishings, including audio, video, and computer equipment.			
Household goods; TV, camera/video games, computer, sofa, vacuum, table, chairs, lamps, TV Stand, bedroom sets, washer/dryer, stove, refrigerator, microwave, pots/pans, dishes/flatware	735 ILCS 5/12-1001(b)	\$ 1,000	\$ 1,000
05. Books, pictures and other art objects, antiques, stamp, coin,			
record, tape, compact disc, and other collections or collectibles.  Books, Compact Discs, Tapes/Records, Family Pictures	735 ILCS 5/12-1001(a)	\$ 200	\$ 200
06. Wearing Apparel			
Necessary wearing apparel.	735 ILCS 5/12-1001(a),(e)	\$ 100	\$ 100
7. Furs and jewelry.			
Earrings, watch, costume jewelry	735 ILCS 5/12-1001(b)	\$ 100	\$ 100
09. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.			
PFG Record # <b>449054</b>	B6C (Office	cial Form 6C) (12/	(07) Page 1 of 2

Case 09-36376 Doc 1 Filed 09/30/09 Entered 09/30/09 13:46:04 Desc Main Document Page 13 of 42 UNITED STATES BANKRUPTCY COURT

### NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

SCHEDULE C - PROPERTY CLAIMED EXEMPT									
Debtor claims the exemptions to which debtor is entitled under: (Check one box)  11 U.S.C. § 522(b)(2)  11 U.S.C. § 522(b)(3)		Check if debtor claims a homestead exemption that exceeds \$136,875							

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property without Deducting Exemption
CPS/Prudential Term Life Insurance through work - No Cash Surrender Value.	735 ILCS 5/12-1001(f)	\$ 0	\$ 0
12. Interest in IRA,ERISA, Keogh, or other pension or profit sharing plans. Give particulars 403(b) w/ Employer/Former Employer - 100% Exempt.	735 ILCS 5/12-1006	\$ 4,000	\$ 4,000
21. Other contingent and unliquidated claims of every nature, including tax refunds, counter claims of the debtor, and rights to setoff claims. Give estimated value of each.  Anticipated 2009 Federal Income Tax Refund	735 ILCS 5/12-1001(b)	\$ 995	\$ 1,800
25. Autos, Truck, Trailers and other vehicles and accessories.  Franklin Capital - 2007 Pontiac Solsitce with approximately 27,000 miles in excellent condition	735 ILCS 5/12-1001(c)	\$ 2,400	\$ 17,925
2001 Volkswagen Jetta 120,000 miles	735 ILCS 5/12-1001(b)	\$ 1,625	\$ 1,625
2002 Ford Mustang 90,000 miles (cl's son's car)	735 ILCS 5/12-1001(b)	\$ 0	\$ 2,275
31. Animals  Family Pets/Animals. 1 dog 2 cats.	735 ILCS 5/12-1001(b)	\$ 0	\$ 0
DEC Pocord # 449054	Dec (Offi-	ial Form 6C\ (12	(07) Page 2 of 2

## Document Page 14 of 42 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Rhea Ellen Escudero, Debtor

#### SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is the creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s) on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim Without Deducting Value of Collateral" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion, if Any" on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured claims to report on this Schedule D.

(	Creditor's Name and Mailing Address Including Zip and Account Number (See Instructions Above)	Codebtor	HWJC	* Date Claim was Incured * Nature of Lien *Value of Property Subject to Lien *Description of Property	Contingent	Unliquidated	Disputed	Amount of Claim Without Deducting Value of	Unsecured Portion, If Any
1	BAC HOME Loans Servici Attn: Bankruptcy Dept. 450 American St Simi Valley CA 93065 Acct No.: 184624735			Dates: 2008-2009 Nature of Lien: Mortgage Market Value: \$ 209,000 Intention: Reaffirm 524 (c) *Description: 3530 Sunny Side Ave. Brookfield, IL 60513 - (Debtors primary residence)				\$ 209,923	\$ 923
2	Attn: Bankruptcy Department 450 American St Simi Valley CA 93065 Acct No.: 184624735			Dates: 2009 Nature of Lien: Mortgage Arrears Market Value: \$ 209,000 Intention: *Description: 3530 Sunny Side Ave. Brookfield, IL 60513 - (Debtors primary residence)				\$ 1,810	\$ 1,810
3	Franklin Capital Attn: Bankruptcy Dept. 47 W 200 S Ste 500 Salt Lake City UT 84101 Acct No.: 2642714			Dates: 6/13/2007 Nature of Lien: Lien on Vehicle - PMSI Market Value: \$ 17,925 Intention: Reaffirm 524 (c) *Description: Franklin Capital - 2007 Pontiac Solsitce with approximately 27,000 miles in excellent condition				\$ 13,524	\$ 13,524

Total \$ 225,257 \$ 16,257

Case 09-36376 Doc 1 Filed 09/30/09 Entered 09/30/09 13:46:04 Desc Main Document Page 15 of 42

### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Rhea Ellen Escudero, Debtor

Creditor's Name and Mailing Address Including Zip and Account Number (See Instructions Above) H W J C

\* Date Claim was Incured

\* Nature of Lien

\*Value of Property Subject to Lien

\*Description of Property

nliquidated

Amount of Claim Without Deducting Value of

Unsecured Portion, If Any

(Report also on Summary of Schedules.) (if applicatble, report also on Statistical Summary of Certain Liabilities and Related Data.)

### Document Page 16 of 42 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Rhea Ellen Escudero. Debtor

#### SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts who file a case under chapter 7 or 13 report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Report the total of amounts not entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors

	Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.
TYP	PES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)
	<b>Domestic Support Obligations</b> Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).
	Extensions of Credit in an involuntary case Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but bfore the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).
	Wages, salaries, and commissions Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$10,950* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).
	Contributions to employee benefit plans Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).
	Certain farmers and fishermen Claims of certain farmers and fishermen, up to \$5,400* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).
	Deposits by individuals Claims of individuals up to \$2,425* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).
	Taxes and certain other Debts Owed to Governmental Units  Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).
	Commitments to maintain the capital of insured depository institution Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507 (a)(9).
	Claims for death or personal injury while debtor was intoxicated Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).

\* Amounts are subject to adjustment on April 10, 2010, and every three years thereafter with respect to cases commenced on or after the date of adju

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Rhea Ellen Escudero / Debtor

#### SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts filing a case under chapter 7, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

Cr	editor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	C H M	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	 ount of Claim
1	BANK OF America Attn: Bankruptcy Dept. Po Box 84006 Columbus GA 31908 Acct #: XXXXX5749			Dates: 1998-2005 Reason: Credit Card or Credit Use				\$ 1,025
2	BANK OF America Attn: Bankruptcy Dept. Pob 17054 Wilmington DE 19884 Acct #: XXXXX5749			Dates: 2005-2008 Reason: Credit Card or Credit Use				\$ 13,744
3	Capital One Attn: Bankruptcy Dept. Po Box 85520 Richmond VA 23285 Acct #: XXXXX5749			Dates: 2009-2009 Reason: Credit Card or Credit Use				\$ 320

Record # 449054 B6F (Official Form 6F) (12/07) Page 1 of 5

Case 09-36376 Doc 1 Filed 09/30/09 Entered 09/30/09 13:46:04 Desc Main Document Page 18 of 42 UNITED STATES BANKRUPTCY COURT

### NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

Rhea Ellen Escudero / Debtor

Record # 449054

In re

	SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS							
Cre	editor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	C A H	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	ount of laim
4	CHASE Attn: Bankruptcy Dept. 800 Brooksedge Blvd Westerville OH 43081 Acct #: XXXXX5749			Dates: 2004-2007 Reason: Credit Card or Credit Use				\$ 3,453
5	CHASE Attn: Bankruptcy Dept. 800 Brooksedge Blvd Westerville OH 43081 Acct #: XXXXX5749			Dates: 2005-2007 Reason: Credit Card or Credit Use				\$ 3,484
6	CHASE Attn: Bankruptcy Dept. 800 Brooksedge Blvd Westerville OH 43081			Dates: 2005-2007 Reason: Credit Card or Credit Use				\$ 6,245
7	Acct #: XXXXX5749  CHASE Attn: Bankruptcy Dept. 800 Brooksedge Blvd Westerville OH 43081  Acct #: XXXXX5749			Dates: 2007-2008 Reason: Credit Card or Credit Use				\$ 7,904
8	CITI Attn: Bankruptcy Dept. Po Box 6497 Sioux Falls SD 57117 Acct #: XXXXX5749			Dates: 2007-2009 Reason: Credit Card or Credit Use				\$ 2,758
9	CITI Attn: Bankruptcy Dept. Po Box 6241 Sioux Falls SD 57117 Acct #: XXXXX5749			Dates: 2003-2008 Reason: Credit Card or Credit Use				\$ 10,027
10	Citibank N A Attn: Bankruptcy Dept. 701 E 60Th St N Sioux Falls SD 57104 Acct #: 33258574920			Dates: 2006-2009 Reason: Loan or Tuition for Education				\$ 16,561

Case 09-36376 Doc 1 Filed 09/30/09 Entered 09/30/09 13:46:04 Desc Main Document Page 19 of 42 UNITED STATES BANKRUPTCY COURT

### NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Record # 449054

SCHEDULE F - CREDITORS	SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS							
Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	C A H	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	Amount of Claim	
11 Citibank N A Attn: Bankruptcy Dept. 701 E 60Th St N Sioux Falls SD 57104 Acct #: 33258574921			Dates: 2007-2009 Reason: Loan or Tuition for Education				\$ 16,849	
12 Credit First N A  Attn: Bankruptcy Dept. 6275 Eastland Rd Brook Park OH 44142  Acct #: XXXXX5749			Dates: 2007-2009 Reason: Credit Card or Credit Use				\$ 604	
13 Discover FIN SVCS LLC Attn: Bankruptcy Dept. Po Box 15316 Wilmington DE 19850 Acct #: XXXXX5749			Dates: 2005-2009 Reason: Credit Card or Credit Use				\$ 9,075	
14 Emerge/FNBO Attn: Bankruptcy Dept. Po Box 105374 Atlanta GA 30348 Acct #: XXXXX5749			Dates: 1998-2008 Reason: Credit Card or Credit Use				\$ 8,534	
15 Equifax Attn: Bankruptcy Dept. P.O. Box 740241 Atlanta GA 30374 Acct #: XXXXX5749			Dates: 2009 Reason: Notice Only				\$ 0	
16 Experian Attn: Bankruptcy Dept. P.O. Box 2002 Allen TX 75013 Acct #: XXXXX5749			Dates: 2009 Reason: Notice Only				\$ 0	
17 GEMB/LENS CRAFTERS Attn: Bankruptcy Dept. Po Box 981439 El Paso TX 79998 Acct #: XXXXX5749			Dates: 2003-2008 Reason: Credit Card or Credit Use				\$ 688	

Case 09-36376 Doc 1 Filed 09/30/09 Entered 09/30/09 13:46:04 Desc Main Document Page 20 of 42 UNITED STATES BANKRUPTCY COURT

### NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

Rhea Ellen Escudero / Debtor

In re

SCHEDULE F - CREDITORS	S H	OL	DING UNSECURED NON-PR	IO	RI	ΓΥ	CLAIMS
Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	H W J C	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	Amount of Claim
18 GEMB/NAPA Attn: Bankruptcy Dept. Po Box 981439 El Paso TX 79998 Acct #: XXXXX5749			Dates: 2007-2009 Reason: Credit Card or Credit Use				\$ 1,727
19 GEMB/SAMS CLUB Attn: Bankruptcy Dept. Po Box 981400 El Paso TX 79998 Acct #: XXXXX5749			Dates: 2007-2008 Reason: Credit Card or Credit Use				\$ 1,189
20 HSBC/Carsn Attn: Bankruptcy Dept. Po Box 15521 Wilmington DE 19805 Acct #: XXXXX5749			Dates: 2003-2008 Reason: Credit Card or Credit Use				\$ 1,062
21 <u>Jjill/CBSD</u> Attn: Bankruptcy Dept. Po Box 6497 Sioux Falls SD 57117 Acct #: XXXXX5749			Dates: 2006-2008 Reason: Credit Card or Credit Use				\$ 924
22 Kohls/Chase Attn: Bankruptcy Dept. N56 W 17000 Ridgewood Dr Menomonee Falls WI 53051 Acct #: XXXXX5749			Dates: 2000-2008 Reason: Credit Card or Credit Use				\$ 771
23 Mcydsnb Attn: Bankruptcy Dept. 9111 Duke Blvd Mason OH 45040 Acct #: XXXXX5749			Dates: 1985-2008 Reason: Credit Card or Credit Use				\$ 4
24 <u>TransUnion</u> Attn: Bankruptcy Dept. P.O. Box 1000 Chester PA 19022 Acct #: XXXXX5749			Dates: 2009 Reason: Notice Only				\$ 0

## Document Page 21 of 42 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Rhea Ellen Escudero / Debtor

Creditor's Name, Mailing Address Including
Zip Code and Account Number
(See Instructions Above)

Codebtor O C & H

Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State nliquidated Disputed

Amount of Claim

**Total Amount of Unsecured Claims** 

(Report also on Summary of Schedules)

\$ 106,948.00

## Document Page 22 of 42 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Rhea Ellen Escudero, Debtor

#### SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser," "Agent," etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).



Check this box if debtor has no executory contracts or unexpired leases.

Name and Mailing Address, Including Zip Code, of Other Parties to Lease or Contract. Description of Contract or Lease and Nature of Debtor's Interest. State whether Lease is for Non-Residential Real Property. State Contract Number or Any Government Contract.

[x] None

PFG Record # 449054 B6G (Official Form 6G) (12/07) Page 1 of 1

## Document Page 23 of 42 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Rhea Ellen Escudero, Debtor

#### **SCHEDULE H - CODEBTORS**

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by the debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight-year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Check this box if debtor has no codebtors.

Name and Address of CoDebtor	Name and Address of the Creditor
[x] None	

PFG Record # 449054 B6H (Official Form 6H) (12/07) Page 1 of 1

## UNITED STATES BARKRUPTEY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Rhea Ellen Escudero, Debtor

Bankruptcy Docket #:

#### SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on Form 22A, 22B, or 22C.

Debtor's Marital	DEPENDENTS OF DEBTOR AND SPOUSE ~ RELATIONSHIP AND AGE										
Status: Separated	Son, 21										
	DEBTOR EMPLOYMENT	SPOUSE EMPLOYMENT									
Occupation:	Teacher										
Name of Employer:	Chicago Public Schools										
Years Employed	16 years										
Employer Address:	125 S Clark St.										
City, State, Zip	Chicago, IL 60603	,									

INCOME: (Estimate of average or projected monthly income at time case filed.)	DEBTOR	SPOUSE				
Monthly Gross Wages, Salary, and commissions	\$ 6,919.45	\$ 0.00				
(Prorate if not paid monthly.)  2. Estimated Monthly Overtime	\$ 0.00	\$ 0.00				
3. SUBTOTAL	\$ 6,919.45	\$ 0.00				
4. LESS PAYROLL DEDUCTIONS	. ,					
a. Payroll Taxes and Social Security	\$ 1,007.78	\$ 0.00				
b. Insurance	\$ 377.82	\$ 0.00				
c. Union Dues	\$ 71.28	\$ 0.00				
d. Other (Specify) Pension:	\$ 130.24	\$ 0.00				
Voluntary 401 Contributions:	\$ 0.00	\$ 0.00				
Child Support:	\$ 0.00	\$ 0.00				
Life Insurance, Uniforrms, 401K Loan:	\$ 57.98	\$ 0.00				
5. SUBTOTAL OF PAYROLL DEDUCTIONS	\$ 1,645.11	\$ 0.00				
6. TOTAL NET MONTHLY TAKE HOME PAY	\$ 5,274.34	\$ 0.00				
7. Regular income from operation of business or profession or farm	\$ 0.00	\$ 0.00				
8. Income from real property	\$ 0.00	\$ 0.00				
Interest and dividends	\$ 0.00	\$ 0.00				
<ol> <li>Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above.</li> </ol>	\$ 0.00	\$ 0.00				
11. Social Security or government assistance (Specify)	\$ 0.00	\$ 0.00				
12. Pension or retirement income	\$ 0.00	\$ 0.00				
13. Other monthly income (Specify:) & & &	\$ 0.00	\$ 0.00				
Unemployment Income	\$ 0.00	\$ 0.00				
14. SUBTOTAL OF LINES 7 THROUGH 13						
15. AVERAGE MONTHLY INCOME (Add amounts shown on lines 6 and 14)	\$ 5,274.34	\$ 0.00				
16. COMBINED AVERAGE MONTHLY INCOME (Combine column totals fromlin	\$ 5,274.34					
if there is only one debtor repeat total reported on line 15.)	Report also on Summary of Schedules and, if applicable, on Statistical Summary					

Report also on Summary of Schedules and, if applicable, on Statistical Summary of Certain Liabilities and Related Data.)

Record #: 449054 B6I (Official Form 6I) (12/07) Page 1 of 1

<sup>17.</sup> Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document: **None** 

## UNITED STATESTBARKREFTER COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Rhea Ellen Escudero / Debtor

Bankruptcy Docket #:

SCHEDIII E I CUDDENT EVDENSES OF INDIVIDUAL DEDTODA	6)
SCHEDULE J - CURRENT EXPENSES OF INDIVIDUAL DEBTOR( Complete this schedule by estimating the average monthly expenses of the debtor and the debtor's family at time case filed. P payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate.	•
Check box if joint petition is filed & debtor's spouse maintains a separate household. Complete a separate schedule of expenditures lab	eled "Spouse".
Rent or home mortgage payment (include lot rented for mobile home)	\$ 1,710.00
a. Real Estate taxes included? [x] Yes [] No b. Property insurance included? [x] Yes [] No	<del>• 1,1 10100</del>
2. Utilities: a. Electricity and Heating Fuel	\$ 240.00
b. Water, Sewer, Garbage	\$ 40.00
c. Cellphone, Internet	\$ 130.00
d. Other Home Phone and Cable Television	\$ 90.00
3. Home Maintenance (repairs and upkeep)	\$ 25.00
4. Food	\$ 350.00
5. Clothing	\$ 25.00
6. Laundry and Dry Cleaning	\$ 20.00
7. Medical and Dental Expenses	\$ 75.00
8. Transportation (not including car payments) Gas, Tolls/Parking, Fees/Licenses, Repair, Bus/Train	\$ 462.50
9. Recreation, Clubs and Entertainment, Newspapers, Magazines, etc.	\$ 40.00
10. Charitable Contributions	\$ 100.00
11. Insurance (not deducted from wages or included in home mortgage payments)	\$ -
a. Homeowner's or Renter's	\$ -
b. Life c. Health	\$-
d. Auto	\$ 277.00
e. Other	\$-
12. Taxes (not deducted from wages or included in home mortgage payments)	Ψ-
(Specify) Federal or State Tax Repayments, Real Estate Taxes	\$ -
13. Installment Payments: (In Chapter 11, 12, and 13 cases, do not list payments to be included in plan)	
a. Auto	<b>\$</b> -
b. Reaffirmation Payments	\$ -
c. Other \$-	\$-
14. Alimony, maintenance and support paid to others	<b>\$</b> -
15. Payments for support of additional dependents not living at your home	<b>\$</b> -
16. Regular expenses from operation of business, profession, or farm (attach detailed statement)	\$ -
17. Other: Haircuts, Hygiene, Newspaper/Mags & Tuition, Books & Childcare & Pet  Eyecare, Meds Postage/Banking GLS Repay: Babysitting Care:	
\$120.00 \$10.00 \$250.00 \$ - \$20.00	\$400.00
<b>18. AVERAGE MONTHLY EXPENSES</b> (Total lines 1-17. Report also on Summary of Schedules and if applicable, on the Stastical of Summary of Certain Liabilities and Related Data.	\$ 4,014.50
19. Describe any increase/decrease in expenditures anticipated to occur within the year following the filing <i>None</i>	this document:
20. STATEMENT OF MONTHLY NET INCOME  a. Average monthly income from Line 15 of Schedule I  b. Average monthly expenses from Line 18 above  c. Monthly net income (a. minus b.)  d. Total amount to be paid into plan monthly	\$ 5,274.34 \$ 4,014.50 \$ 1,259.84 \$ 1,255.00

Record #: 449054 B6J (Official Form 6J) (12/07) Page 1 of 1

Case 09-36376 Doc 1 Filed 09/30/09 Entered 09/30/09 13:46:04 Desc Main Document Page 26 of 42

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

**Rhea Ellen Escudero Debtor** 

Bankruptcy Docket #:

#### DECLARATION CONCERNING DEBTOR'S SCHEDULES

#### DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules, and that they are true and correct to the best of my knowledge, information and belief. I have disclosed on the foregoing schedules all property or assets I may have an interest in, the correct value of it, and every debt I may be liable for. I accept the risk that some debts won't be discharged. I have been advised of the difference between Chapter 7 and Chapter 13, income & expense concepts, budgeting, and have made full disclosure.

Debtor's attorney has advised debtor that creditors can object to discharge of their debt on a variety of grounds including fraud, recent credit usage, divorce and support obligations and reckless conduct.

Debtor's attorney has advised debtor that non-dischargeable debts such as taxes, student loans, fines by government units and liens on property of debtor are generally unaffected by bankruptcy.

Dated: 09/16/2009 /s/ Rhea Ellen Escudero

Rhea Ellen Escudero

X Date & Sign

if joint case, both spouses must sign. If NOT a joint case the joint debtor will NOT appear.

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. Sections 152 and 3571

#### DECLARATION AND SIGNATURE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. 110)

Non-Attorney Petition Preparers were **NOT** used to prepare any portion of this petition. All documents were produced by the Law Offices of Peter Francis Geraci.

THIS SECTION ONLY APPLIES TO PETITION PREPARERS AND HAS NOTHING TO DO WITH THIS CASE

#### DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF A CORPORATION OR PARTNERSHIP

This is a personal bankruptcy for an individual(s) and **NOT** a corporation or partnership.

THIS SECTION ONLY APPLIES TO CORPORTATIONS & PARTNERSHIPS AND HAS NOTHING TO DO WITH THIS CASE

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. Sections 152 and 3571

Case 09-36376 Doc 1 Filed 09/30/09 Entered 09/30/09 13:46:04 Desc Main Document Page 27 of 42

### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Rhea Ellen Escudero, Debtor

#### STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. To indicate payments, transfers and the like to minor children, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 - 25. **If the answer to an applicable question is "None," mark the box labeled "None."** If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

#### **DEFINITIONS**

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101.

#### 01. INCOME FROM EMPLOYMENT OR OPERATION OF BUSINESS:

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the two years immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

	AMOUNT	SOURCE	
	2009: \$60,037 2008: \$74,470 2007: \$71,037	employment	
IONE X	Spouse		
	AMOUNT	SOURCE	-

Case 09-36376 Doc 1 Filed 09/30/09 Entered 09/30/09 13:46:04 Desc Main Document Page 28 of 42

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Rhea Ellen Escudero, Debtor

#### STATEMENT OF FINANCIAL AFFAIRS

#### 02. INCOME OTHER THAN FROM EMPLOYMENT OR OPERATION OF BUSINESS:

State the amount of income received by the debtor other than from employment, trade, profession, operation of the debtor's business during the two years immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE
2009: \$0	pension
2008: \$373	
2007: \$0	
2009: \$0	deduction for teacher's
2008: \$571	expenses
2007: \$0	

NONE

Spouse

AMOUNT	SOURCE

#### 03. PAYMENTS TO CREDITORS:

Complete a. or b. as appropriate, and c.

a. INDIVIDUAL OR JOINT DEBTOR(S) WITH PRIMARILY CONSUMER DEBTS: List all payments on loans, installment purchases of goods o services, and other debts to any creditor made within 90 days immediately proceeding the commencement of this case if the aggregate value of all property that constitutes or is affected by such transfer is not less than \$600.00. Indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and creditor counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Creditor	Dates of Payments	Amount Paid	Amount Still Owing
BAC HOME Loans Servici 450 American St Simi Valley CA 93065	Monthly	\$ 4,890	\$ 205,033
Franklin Capital 47 W 200 S Ste 500 Salt Lake City UT 84101	Monthly	\$ 900	\$ 12,624
Citibank N A 701 E 60Th St N Sioux Falls SD 57104	Monthly	\$ 690	\$ 15,871

### Document Page 29 of 42 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

SUIT AND

CASE NUMBER

Rhea Ellen Escudero, Debtor

03. PAYMENTS TO CREDITORS:			
Complete a. or b. as appropriate, a	nd c.		
services, and other debts to any cr value of all property that constitute that were made to a creditor on ac an approved nonprofit budgeting a	editor made within 90 days immedia s or is affected by such transfer is no count of a domestic support obligation and creditor counseling agency. (Mai	ER DEBTS: List all payments on loans, intely proceeding the commencement of tot less than \$600.00. Indicate with an around or as part of an alternative repayment rried debtors filing under chapter 12 or ced, unless the spouses are separated an	his case if the aggregate sterisk (*) any payments t schedule under a plan b hapter 13 must include
Name and Address of Creditor	Dates of Payments	Amount Paid	Amount Still Owing
Citibank N A	Monthly	\$ 699	\$ 16,150
b. DEBTOR WHOSE DEBTS ARE days immediately preceding the cotransfer is not less than \$5,000 (M	mmencement of the case if the aggi arried debtors filing under chapter 1	EBTS: List each payment or other transferegate value of all property that constitute 2 or chapter 13 must include payments	es or is affected by such and other transfers by ea
b. DEBTOR WHOSE DEBTS ARE days immediately preceding the cotransfer is not less than \$5,000 (M	mmencement of the case if the aggi arried debtors filing under chapter 1	regate value of all property that constitut	es or is affected by such and other transfers by ea
b. DEBTOR WHOSE DEBTS ARE days immediately preceding the cotransfer is not less than \$5,000 (M or both spouses whether or not a jun Name and Address of Creditor  c. ALL DEBTORS: List all payment creditors who are or were insiders.	mmencement of the case if the aggrarried debtors filing under chapter 1 bint petition is filed, unless the spous Dates of Payment/Transfers  ts made within 1 year immediately processing (Married debtors filing under chapter)	regate value of all property that constitut 2 or chapter 13 must include payments ses are separated and a joint petition is a Amount Paid or Value of	es or is affected by such and other transfers by eanot filed.)  Amount Still Owing  se to or for the benefit of nts be either or both
b. DEBTOR WHOSE DEBTS ARE days immediately preceding the cotransfer is not less than \$5,000 (M or both spouses whether or not a junch Name and Address of Creditor  c. ALL DEBTORS: List all payment creditors who are or were insiders.	mmencement of the case if the aggrarried debtors filing under chapter 1 bint petition is filed, unless the spous Dates of Payment/Transfers  ts made within 1 year immediately processing (Married debtors filing under chapter)	regate value of all property that constitut 2 or chapter 13 must include payments ses are separated and a joint petition is a Amount Paid or Value of Transfers  preceding the commencement of this case or 12 or chapter 13 must include payme	es or is affected by such and other transfers by eanot filed.)  Amount Still Owing  se to or for the benefit of nts be either or both

OF AGENCY

AND LOCATION

OF

DISPOSITION

OF

**PROCEEDING** 

## Document Page 30 of 42 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Rhea Ellen Escudero, Debtor

Address

of Custodian

	STATEMENT OF FINA	NCIAL AFFAIRS	
process within (1) one year preced	ARNISHED: Describe all property that ha ding the commencement of this case. (No feither or both spouses whether or not a	larried debtors filing under cha	apter 12 or chapter 13 must inc
joint petition is not filed.)	retities of both spouses whether of flot a	joint petition is filed, unless t	ie spouses are separateu anu a
Name and Address of Person for Whose Benefit Property was Seized	Date of Seizure	Description and Value of Property	_
05. REPOSSESSION, FORECLO	SURES AND RETURNS:		
returned to the seller, within one y chapter 13 must include informatic spouses are separated and a join	ossessed by a creditor, sold at a foreclos ear immediately preceding the commend on concerning property of either or both so t petition is not filed.)  Date of Repossession, Foreclosure Sale, Transfer or Return	ement of this case. (Married of spouses whether or not a joint Description and	debtors filing under chapter 12
	· .	Value of Property	_
case. (Married debtors filing unde	perty for the benefit of creditors made w r chapter 12 or chapter 13 must include a s are separated and a joint petition is not	any assignment by either or bo	_
Name and Address of Assignee	Date of Assignment	Terms of Assignment or Settlement	_
preceding the commencement of	n in the hands of a custodian, receiver, o this case. (Married debtors filing under ch whether or not a joint petition is filed, un	napter 12 or chapter 13 must i	nclude information concerning
Name and	Name & Location	Date	Description

PFG Record # 449054 B7 (Official Form 7) (12/07) Page 4 of 13

of Court Case

Title & Number

of

Order

and Value of

Property

Case 09-36376 Doc 1 Filed 09/30/09 Entered 09/30/09 13:46:04 Desc Main Document Page 31 of 42

## Document Page 31 of 42 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Rhea Ellen Escudero, Debtor

STATEMENT	OF FINANCIAL	<b>AFFAIRS</b>
SIAICMEN	OF FINANCIAL	AFFAIRS

07. GIFTS:

List all gifts or charitable contributions made within one year immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Person Relationship Description and Value to Debtor, of or Organization If Any Gift of Gift Weekly None **Christ Church of Oak** \$25 per week **Brook** 31st and York Road Oak Brook, IL

NONE

08. LOSSES:

List all losses from fire, theft, other casualty or gambling within one year immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Description and Description of Circumstances and, Value if Loss Was Covered in Whole or in of Property Part by Insurance, Give Particulars Loss

#### 09. PAYMENTS RELATED TO DEBT COUNSELING OR BANKRUPTCY:

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within one (1) year immediately preceding the commencement of this case.

Name and Date of Payment, Amount of Money or Address Name of Payer if Description and Other Than Debtor Value of Property

Law Offices of Peter 2009 Fee: \$3,500; \$680 paid Prior to filing, balance

55 E Monroe St Suite#3400 Chicago,IL 60603

through the plan

Case 09-36376 Doc 1 Filed 09/30/09 Entered 09/30/09 13:46:04 Desc Main Document Page 32 of 42

## Document Page 32 of 42 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Rhea Ellen Escudero, Debtor

ST.	ATEM	IENT	OF F	INANCI	$\Delta I \Delta$	FFAII	20
<b>3</b> L	$oldsymbol{A}$ I $oldsymbol{\Box}$ IV		OF F	IIVANGI	ALE	<b>SEFAII</b>	7.3

09a. PAYMENTS RELATED TO DEBT COUNSELING OR BANKRUPTCY: List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within 1 year immediately preceding the commencement of this case.

Name and Address of Payee Date of Payment, Name of Payer if Other Than Debtor

2009

Amount of Money or description and Value of Property

\$50.00

MMI/CCCS 9009 W. Loop S. Houston, TX 77096 Phone 866.983.2227

#### 10. OTHER TRANSFERS

a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security with two (2) years immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Transferee, Relationship to Debtor

Kenneth Deloney;

ex-boyfriend

Date

January 3, 2009

Transferred and
Value Received

Describe Property

1998 Mercury Cougar; no value received

NONE

X

10b. List all property transferred by the debtor within ten (10) years immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

Name of Trust or other Device Date(s) of Transfer(s) Amount and Date of Sale or Closing

NONE

11. CLOSED FINANCIAL ACCOUNTS:

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within one (1) year immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Institution Type of Account, Last Four Digits of Account Number, and Amount of Final Balance

Amount and Date of Sale or Closing

### Case 09-36376 Doc 1 Filed 09/30/09 Entered 09/30/09 13:46:04 Desc Main Document Page 33 of 42 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

	STATEMENT OF FINA	ANCIAL AFFAIRS	
12. SAFE DEPOSIT BOXES:			
immediately preceding the co	er box or depository in which the debtor has immencement of this case. (Married debtors spouses whether or not a joint petition is file	s filing under chapter 12 or chapter 1	3 must include boxes or
Name and Address of Bank or Other Depository	Names & Addresses of Those With Access to Box or depository	Description of Contents	Date of Transfer or Surrender, if Any
13. SETOFFS:			
of this case. (Married debtors	reditor, including a bank, against a debt or of filing under chapter 12 or chapter 13 must ess the spouses are separated and a joint p	include information concerning eithe	•
Name and Address	Date	Amount	
of Creditor	of Setoff	of Setoff	
of Creditor			
of Creditor  14. LIST ALL PROPERTY HE	of Setoff	of Setoff	
of Creditor  14. LIST ALL PROPERTY HE	of Setoff  ELD FOR ANOTHER PERSON:	of Setoff	
of Creditor  14. LIST ALL PROPERTY HE List all property owned by and Name and Address	of Setoff  ELD FOR ANOTHER PERSON:  other person that the debtor holds or control  Description and	of Setoff  lls.  Location	
of Creditor  14. LIST ALL PROPERTY HE List all property owned by and Name and Address of Owner  Son	of Setoff  ELD FOR ANOTHER PERSON: Other person that the debtor holds or control Description and Value of Property  2002 Ford Mustang	of Setoff  ols.  Location of Property  Son resides at Debtor's	
of Creditor  14. LIST ALL PROPERTY HE List all property owned by and Name and Address of Owner  Son  15. PRIOR ADDRESS OF DE	of Setoff  ELD FOR ANOTHER PERSON: Other person that the debtor holds or control Description and Value of Property  2002 Ford Mustang	of Setoff  Location of Property  Son resides at Debtor's address  mmencement of this case, list all pre	

Case 09-36376 Doc 1 Filed 09/30/09 Entered 09/30/09 13:46:04 Desc Main Document Page 34 of 42

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Rhea Ellen Escudero, Debtor

_	_		_
		<b></b>	FEAIDA
STATEME	~	- I / I /	
.7 I A I C IVIC I	<b>VI ()</b>		16 6 AIR.3

NONE

#### 16. SPOUSES and FORMER SPOUSES:

If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within eight (8) years immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

Name

NONE

#### 17. ENVIRONMENTAL INFORMATION:

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil surface water, ground water, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of the these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous material" means anything defined as a hazardous waste, hazardous or toxic substances, pollutant, or contaminant, etc. under environmental Law.

NONE

17a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

Site Name Name and Address Date Environmental and Address of Governmental Unit of Notice Law

NONE

17b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

Site Name Name and Address Date Environmental and Address of Governmental Unit of Notice Law

PFG Record # 449054 B7 (Official Form 7) (12/07) Page 8 of 13

## Document Page 35 of 42 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Rhea Ellen Escudero, Debtor

Name

-		nts or orders, under any Environmenta nmental unit that is or was a party to t	•
Name and Address of Governmental Unit	Docket Number	Status of Disposition	
18 NATURE, LOCATION AND NAM	E OF BUSINESS		
a. If the debtor is an individual, list the ending dates of all businesses in whi partnership, sole proprietor, or was simmediately preceding the commenc within six (6) years immediately preceding the debtor is a partnership, list the	e names, addresses, taxpayer id ich the debtor was an officer, dire elf-employed in a trade, profession ement of this case, or in which the eding the commencement of this names, addresses, taxpayer ider	ntification numbers, nature of the bus	of a corporation, partner in a time within six (6) years f the voting or equity securities inesses, and beginning and
a. If the debtor is an individual, list the ending dates of all businesses in whi partnership, sole proprietor, or was simmediately preceding the commence within six (6) years immediately preceding the debtor is a partnership, list the ending dates of all businesses in whi (6) years immediately preceding the	e names, addresses, taxpayer id ich the debtor was an officer, dire self-employed in a trade, profession sement of this case, or in which the eding the commencement of this names, addresses, taxpayer ider ich the debtor was a partner or ox commencement of this case.  names, addresses, taxpayer ider ich the debtor was a partner or ox commencement of this case.	ector, partner, or managing executive on, or other activity either full- or part- ne debtor owned 5 percent or more of case.	of a corporation, partner in a time within six (6) years fethe voting or equity securities inesses, and beginning and or equity securities, within six inesses, and beginning and

PFG Record # 449054 B7 (Official Form 7) (12/07) Page 9 of 13

Address

## Document Page 36 of 42 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Rhea Ellen Escudero, Debtor

STATEMENT OF FINANCIAL AFFAIRS		
has been, within six years immerexecutive, or owner of more than	diately preceding the commencemer n 5 percent of the voting or equity se	a corporation or partnership and by any individual debtor who it of this case, any of the following: an officer, director, managin curities of a corporation; a partner, other than a limited partner, or other activity, either full- or part-time.
	ceding the commencement of this ca	ement only if the debtor is or has been in business, as defined se. A debtor who has not been in business within those six yea
19. BOOKS, RECORDS AND F	INANCIAL STATEMENTS:	
List all bookkeepers and account the keeping of books of account		diately preceding the filing of this bankruptcy case kept or supe
Name	Dates Services Rendered	
and Address	Rendered	
and Address	Rendered	-
19b. List all firms or individuals		preceding the filing of this bankruptcy case have audited the b
19b. List all firms or individuals	who within two (2) years immediately	
19b. List all firms or individuals account and records, or prepare Name  19c. List all firms or individuals w	who within two (2) years immediately d a financial statement of the debtor. Address	Dates Services Rendered  It of this case were in possession of the books of account and r
19b. List all firms or individuals account and records, or prepare Name  19c. List all firms or individuals w	who within two (2) years immediately d a financial statement of the debtor.  Address  who at the time of the commencemer	Dates Services Rendered  It of this case were in possession of the books of account and r
19b. List all firms or individuals account and records, or prepare  Name  19c. List all firms or individuals wo fithe debtor. If any of the books  Name  19d. List all financial institutions,	who within two (2) years immediately d a financial statement of the debtor.  Address  who at the time of the commencement of account and records are not available.  Address	Dates Services Rendered  It of this case were in possession of the books of account and relable, explain.

Issued

Address

## Document Page 37 of 42 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

	OTATEMENT OF THE	IANCIAL AFFAIRS	
20. INVENTORIES			
20. INVENTORIES			
List the dates of the last to the dollar amount and bas	vo inventories taken of your property, the nan is of each inventory.	ne of the person who supervised th	ne taking of each inventory,
Date of	Inventory		
Inventory	Supervisor	(specify cost, market of other basis)	-
b. List the name and addr	ess of the person having possession of the re	ecords of each of the inventories re	eported in a., above.
Date of Inventory	Name and Addresses of Custodian of Inventory Records		
	RS, OFFICERS, DIRECTORS AND SHAREH rship, list nature and percentage of interest of		
	,		-
A. If the debtor is a partne     Name     and Address  21b. If the debtor is a corp	rship, list nature and percentage of interest of Nature	Percentage of Interest oration; and each stockholder who	directly or indirectly owns,
A. If the debtor is a partne     Name     and Address  21b. If the debtor is a corp	Nature of Interest of oration, list all officers & directors of the corp	Percentage of Interest oration; and each stockholder who	directly or indirectly owns,
a. If the debtor is a partne  Name and Address  21b. If the debtor is a corp controls, or holds 5% or m  Name and Address	Nature of Interest  Overation, list all officers & directors of the corpore of the voting or equity securities of the corpore of the voting or Equity Securities of the corpore of the voting or Equity Securities of the corpore of the voting or Equity Securities of the corpore of the voting or Equity Securities of the corpore of the voting or Equity Securities of the corpore of the voting or Equity Securities of the corpore of the voting or Equity Securities of the corpore of the voting or Equity Securities of the corporation of the voting of the voting of the voting of the voting of the corporation of the voting	Percentage of Interest  oration; and each stockholder who orporation.  Nature and Percentage of Stock Ownership	-
a. If the debtor is a partne  Name and Address  21b. If the debtor is a corp controls, or holds 5% or m  Name and Address	Nature Oration, list all officers & directors of the corpore of the voting or equity securities of the corpore of the voting or equity securities.	Percentage of Interest  Oration; and each stockholder who prporation.  Nature and Percentage of Stock Ownership  DLDERS:  hip interest of each member of the	-
a. If the debtor is a partne  Name and Address  21b. If the debtor is a corp controls, or holds 5% or m  Name and Address  22. FORMER PARTNER	Nature of Interest  Overation, list all officers & directors of the corpore of the voting or equity securities of the corpore of the voting or Equity Securities of the corpore of the voting or Equity Securities of the corpore of the voting or Equity Securities of the corpore of the voting or Equity Securities of the corpore of the voting or Equity Securities of the corpore of the voting or Equity Securities of the corpore of the voting or Equity Securities of the corpore of the voting or Equity Securities of the corporation of the voting of the voting of the voting of the voting of the corporation of the voting	Percentage of Interest  oration; and each stockholder who orporation.  Nature and Percentage of Stock Ownership	-

### Case 09-36376 Doc 1 Filed 09/30/09 Entered 09/30/09 13:46:04 Desc Main Document Page 38 of 42 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

	STATEMENT OF FIN		
22b. If the debtor is a corporation immediately preceding the comm		ationship with the corporation terminated with	in one (1) year
Name and Address	Title	Date of Termination	
and Address	nue	1 GIIIIII I AUOII	
23. WITHDRAWALS FROM A PA	ARTNERSHIP OR DISTRIBUTION BY	A COPORATION:	
·	•	outions credited or given to an insider, includin ner perquisite during one year immediately pro	•
Name and Address of	Date and	Amount of Money or	
Recipient, Relationship to Debtor	Purpose of Withdrawal	Description and value of Property	
for tax purposes of which the deb	the name and federal taxpayer identific	cation number of the parent corporation of any thin six (6) years immediately preceding the c	•
If the debtor is a corporation, list for tax purposes of which the deb case.	the name and federal taxpayer identific otor has been a member at any time wi	, , ,	•
If the debtor is a corporation, list for tax purposes of which the deb	the name and federal taxpayer identific	, , ,	•
If the debtor is a corporation, list for tax purposes of which the deb case.  Name of	the name and federal taxpayer identific otor has been a member at any time wi Taxpayer	·	•
If the debtor is a corporation, list for tax purposes of which the debtorase.  Name of Parent Corporation  25. PENSION FUNDS:	the name and federal taxpayer identification has been a member at any time wi  Taxpayer Identification Number (EIN)	·	ommencement o
If the debtor is a corporation, list for tax purposes of which the debtorase.  Name of Parent Corporation  25. PENSION FUNDS:	the name and federal taxpayer identification has been a member at any time wi  Taxpayer Identification Number (EIN)	thin six (6) years immediately p	receding the c

Case 09-36376 Doc 1 Filed 09/30/09 Entered 09/30/09 13:46:04 Desc Main Document Page 39 of 42

### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Rhea Ellen Escudero, Debtor

OT A TERRESIT	OF FINANCIAL	
SIAIFMENI	()F FINAN(JAI	AFFAIRS

#### **DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR**

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachment thereto and that they are true and correct.

Dated: 09/16/2009 /s/ Rhea Ellen Escudero

Rhea Ellen Escudero

X Date & Sign

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. Sections 152 and 3571

Case 09-36376 Doc 1 Filed 09/30/09 Entered 09/30/09 13:46:04 Desc Main Document Page 40 of 42

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Rhea Ellen Escudero, Debtor

Bankruptcy Docket #:

#### DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR - 2016B

1. Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

The compensation paid of profinsed by the Debtor(5), to the undersigned, is as follows	•	
For legal services, Debtor(s) agrees to pay and I have agreed to accept		\$3,500
Prior to the filing of this Statement, Debtor(s) has paid and I have received		\$680
The Filing Fee has been paid.	Balance Due	-\$2,820

2. The source of the compensation paid to me was:

Debtor(s)	Other: (speci
Denioi(s)	I I Uther: (spec

3. The source of compensation to be paid to me on the unpaid balance, if any, remaining is:

The compensation haid or promised by the Debtor(s) to the undersigned is as follows:

Debtor(s) Other: (specify)

The undersigned has received no transfer, assignment or pledge of property from the debtor(s) except the following for the value stated: **None.** 

- 4. The undersigned has not shared or agreed to share with any other entity, other than with members of the undersigned's law firm, any compensation paid or to be paid without the client's consent, except as follows: None.
- 5. The Service rendered or to be rendered include the following:
- (a) Analysis of the financial situation, and rendering advice and assistance to the client in determining whether to file a petition under Title 11, U.S.C.
- (b) Preparation and filing of the petition, schedules, statement of affairs and other documents required by the court.
- (c) Representation of the client at the first scheduled meeting of creditors.
- (d) Advice as required.

#### **CERTIFICATION**

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceedings.

Respectfully Submitted,

Dated: 09/30/2009 /s/ Ronald P Strojny

Attorney Name: Ronald P Strojny
LAW OFFICES OF PETER FRANCIS GERACI
55 E. Monroe Street #3400
Chicago IL 60603
312.332.1800 (PH) 312.332.6354 (FAX)

Form B203 (12/94) Page 1 of 1

Bar No: IL 6282154

## Document Page 41 of 42 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Rhea Ellen Escudero, Debtor

#### **VERIFICATION OF CREDITOR MATRIX**

The above named Debtor(s) hereby verify that the attached list of creditors is true and correct to the best of our knowledge.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Dated: 09/16/2009 /s/ Rhea Ellen Escudero

Rhea Ellen Escudero

X Date & Sign

<sup>\*</sup> Joint debtors must provide information for both spouses. Penalty for making a false statement or concealing property: Fine up to \$500,000 or up to 5 years imprisonment or both. 18 U.S.C. 152 and 3571.

#### NOTICE TO INDIVIDUAL CONSUMER DEBTOR(S)

In accordance with § 342(b) of the Bankruptcy Code, this notice: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case. You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

#### 1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days <u>before</u> bankruptcy filing. Briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) must be provided by nonprofit budget & credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses.

#### 2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total fee \$299)

- 1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.
- 2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.
- 3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.
- 4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not

#### Chapter 13: Repayment of All or Part of Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total \$274)

- 1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
- 2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.
- 3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

#### Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

#### Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family farm or fishing operation.

#### 3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

I (We), the debtor(s), affirm that I (we) have received and read this notice.

Dated: 09/16/2009 /s/ Rhea Ellen Escudero

Rhea Ellen Escudero

**~** 

Sign & Date Here



Sign & Date Here

Dated: 09/30/2009 /s/ Ronald P Strojny

Attorney: Ronald P Stroiny Bar No: IL 6282154

PFG Record # 449054